



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,680	09/29/2003	Michael Gabriel	12510/70	5087
26646	7590	02/21/2008		
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			EXAMINER MYINT, DENNIS Y	
			ART UNIT 2162	PAPER NUMBER
			MAIL DATE 02/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,680

Applicant(s)

GABRIEL ET AL.

Examiner

DENNIS MYINT

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/05/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the office action, dated August 22, 2006, has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 5, 2007, has been entered.

2. The amendment filed on November 5, 2007, has been received and entered. Claims 1-22 and 23-29 are currently pending in this application. In the Amendment filed on November 5, 2007, no amendments were made. Claims 23-29 are newly added. Claims 1, 16, 18, 19, 26, 27, and 29 are independent claims.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: claim 26 in lines 7-11 recites "a result page including a **first section** having information of the results that applies to all of the media distribution source types from which the results were obtained, and, for each of the media distribution source types from which the results were obtained, a **respective second**

Art Unit: 2162

section having all of the results obtained from the respective media distribution source type”.

However, the specification of the instant application fails to provide proper antecedent basis for **a first section** having information of the results that applies to all of the media distribution source types from which the results were obtained, and, for each of the media distribution source types from which the results were obtained, **a respective second section** having all of the results obtained from the respective media distribution source type.

As per claim 27, the claim in line 4 recites “in accordance with a **user history**” and in line 2 recites “media content suggestion”. However, the specification of the instant application fails to provide proper antecedent basis for **a user history** and **media content suggestions**.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 26-28 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter

Art Unit: 2162

which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 26 in lines 7-11 recites "a result page including a **first section** having information of the results that applies to all of the media distribution source types from which the results were obtained, and, for each of the media distribution source types from which the results were obtained, a **respective second section** having all of the results obtained from the respective media distribution source type", which is not described in the specification.

As such in dependent claim 26 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. All dependent claims of said independent claims are all rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement because said dependent claims depend on said independent claims.

As per claim 27, the claim in line 4 recites "in accordance with a **user history**", and in line 2 recites "media content suggestions, which are not described in the specification.

As such in dependent claim 27 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. All dependent claims of said independent claims are all rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement because said dependent claims depend on said independent claims.

Claim 28 is rejected under 35 U.S.C. §112, first paragraph, by virtue of its dependency on claim 27.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 19 and 22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 19, the word "means" is preceded by the word(s) "storing" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claim 22 is rejected under U.S.C. 112 second paragraph because of its dependency on claim 19.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson et al. (hereinafter "Williamson", U.S. Patent Application Publication Number 2003/0208767) in view of Willis et al., (hereinafter "Willis", U.S. Patent Application Publication Number 2004/0003097).

As per claim 1, Williamson is directed to a method for searching for media content (Williamson, Paragraph 0135-0137) and teaches the limitations:

"receiving from a user a user profile which identifies preferred media distribution sources" (Williamson, Paragraph 0102, i.e., *Referring to FIG. 16, a user may create a new profile by using select key 960 of remote control 900 to select the "Create New Profile" link from Favorites submenu 1420 to display search parameters from which a user may choose (1450). These parameters may include programming category, actor(s) name, program title, director, keyword and the like*; Paragraph 0102, i.e., *Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such*

Art Unit: 2162

circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles at different times; and Paragraph 0084, i.e., .. My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order);

"receiving a search request from a user including at least one search criteria" (Williamson, Paragraph 0099, i.e., Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs and 0135-0157, i.e. A search may include one of these parameters or multiple parameters);

"searching (a plurality of media distribution source types) for media content based on the at least one search criteria and the user profile" (Williamson, Paragraph 0099, and Paragraph 0102 and 0135-0157) ;

"a schedule including schedule information regarding the media content" (Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., For example, by pressing guide key 920 on remote control 900 while viewing a program channel display 1010 in FIG. 12 (which may be a live or played back TV show, movie, music video,

Art Unit: 2162

*service or the like), a user may access interactive program guide 1020, **which includes program viewing window 1040, current time and channel indicator 1045**, program description box 1050, program grid 1060 and menu display 1065) and "displaying the schedule to the user" ((Williamson, Figures 12, 13, and 14, and Paragraph 0079).*

Williamson does not explicitly teach the limitations: "a plurality of distribution source types" and "generating, from results of the searching, (a schedule including scheduling information regarding the media content)". Note that the limitation in the parenthesis is taught by Williamson in Paragraph 0079 and Figures 12, 13, and 14).

On the other hand, Willis teaches the limitations:

"a plurality of distribution source types" (Willis, Paragraph 0003, i.e., *Such sites are generally known as "**portals**," and provide a central gateway through which users can be presented with options and links to various information sources. In this way, users can check, for example, their **stocks, mail, local weather, sports scores, and movie listings***; Paragraph 0015, i.e., *In another implementation, a system combines the concepts of the portal and personalized content with other delivery channels, such as, for example, telephone, radio, and television*; Paragraph 0088, i.e., *Articles may be, for example, text, video, audio, HTML, or another available rendering medium, or a combination of two or more of these media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below*; and Paragraph 0094, i.e., *One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of*

Art Unit: 2162

content-based services include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard); and

*“generating, from results of the searching, (a schedule including scheduling information regarding the media content)” (Willis, Paragraph 0085, i.e., FIG. 1 is an example of a content presentation system including a system 100. In FIG. 1, external information from an external information source 105 is received by a content generator 110, which generates a corresponding article. Many types of external information sources 105 may be used, as will be discussed in more detail with respect to FIG. 2. Also, content generator 110 may utilize various techniques for gathering and publishing the information as discrete articles. For example, **content generator 110 may utilize software agents to gather appropriate information (agents are generally defined as automatons running “on a scheduled basis” and querying a data source for information and either producing or not producing content based in part on the result of that query).** Moreover, in other implementations, content generator 110 may be included within system 100; Willis Paragraph 0089, i.e., In FIG. 1, then, an article reader 115 accesses articles from content generator 110. Some articles may already include attribute and content metadata information. If a particular article has no associated metadata, **a metadata enhancer 120 may be used to examine the content of the article and generate metadata accordingly.** Even if some information, such as attribute information, is included with an article, metadata enhancer 120 may be used to further enhance the article; Willis Paragraph 0096, i.e., By accessing databases 135 and 140, content-based router 130 is able **to filter articles which are restricted or***

Art Unit: 2162

*are of no interest with respect to a particular user. The action of content-based router 130 thus eases the burden on a **personalized article processor ("PAP") 145**, which has the job of individually prioritizing the remaining articles, based on a comparison of contents of the user preference database 140 to the content and to the content metadata/attributes of each article. See also Willis paragraph 0107 and Paragraphs 0129, 0262, and 0278. Also see Paragraph 0110 of Willis, i.e., **a pool of articles from which a subset for each user will be drawn**).*

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method of Williamson to combine with the features of searching a plurality of media distribution source types and searching results on periodic basis, as taught by Willis, so that the combined method would comprise searching a plurality of media distribution source types for media content on periodic basis and generate, from results of the searching, a schedule including scheduling information regarding the media content. One would have been motivated to do so in order to allow users to designate categories of information in which desired content may be presented (Willis, Paragraph 0003).

As per claim 2, Williamson in view of Willis teaches the limitation:

"wherein the media content includes at least one of a video, audio, a still image, printed material, text, a movie, and a television program" (Williamson, Paragraphs 0039 and 0066).

As per claim 3, Williamson in view of Willis teaches the limitation:

“wherein the information regarding the media content includes availability information that indicates availability of media content, which meets the at least one search criteria, from at least one of the preferred media sources” (Williamson, Paragraph 0084, i.e. *upcoming programs* (i.e. programs that are scheduled to be reserved but has yet to be broadcast) *and recommended programs...* and Willis Paragraphs 0003, 0088, and 0094).

As per claim 4, Williamson in view of Willis teaches the limitation:

“wherein the availability information includes at least two of movie theater show time data, television broadcast data, and retail data (Williamson, Paragraph 0084, i.e. *upcoming programs* (i.e. programs that are scheduled to be reserved but has yet to be broadcast) *and recommended programs...*; Paragraph 0086, i.e. *upcoming* (i.e. to be broadcast in the future) *or by the reservation date of the program*; and Paragraph 0088, i.e., *broadcast time for current and future reserved programs, rating (such as G, PG-13 and R...* and Willis Paragraph 0003, i.e., *In this way, users can check, for example, their stocks, mail, local weather, sports scores, and **movie listings***).

As per claim 5, Williamson in view of Willis teaches the limitation:

“wherein the search for media content is performed on at least one database” (Williamson, Figure 1: Library Manager 113, ; Paragraph 0048, i.e. ...*forwards the same to library manager 113 for long-term storage*; and Paragraph 0039, i.e., *database services*).

As per claim 6, Williamson in view of Willis teaches the limitation:

“wherein the user profile includes at least one of a zip code and a television provider data” (Williamson, Paragraph 0150, i.e. ... *having specified zip codes*).

As per claim 7, Williamson in view of Willis teaches the limitation:

“providing online purchase capabilities such that the user is able to purchase at least one of the media content, tickets to view or hear the media content, and merchandise related to the media content” (Williamson, Paragraph 0127-0128, i.e.*including Add Video to Shopping Cart 3321, Buy CD 3322, Buy Video 3323, Concert Information 3324, MP3 Download 3325 and Photos 3326*).

As per claim 8, Williamson in view of Willis teaches the limitation:

“wherein the plurality of media distribution source types includes at least two of: i) at least one movie theater source type, ii) a local cable TV or satellite TV provider source type, iii) preferred online retailer source type” (Williamson, Paragraph 0039, i.e., *Headend 105 receives programs and services from various providers and sources, e.g., analog and digital satellite sources, application servers, media servers, the Internet etc.*; and Willis Paragraph 0003, i.e., *In this way, users can check, for example, their stocks, mail, local weather, sports scores, and **movie listings***).

As per claim 9, Williamson in view of Willis teaches the limitation:

“wherein the search criteria includes at least one of title data, cast member data, and director data” (Williamson, Paragraph 0102, i.e.; *These parameters may include programming category, actor(s) names, program title, director, keyword and the like*).

As per claim 10, Williamson in view of Willis teaches the limitation:

“wherein the information regarding the media content is displayed on at least one of: i) a display associated with a set-top box, ii) a display of a computer arrangement, a TV, a wireless device, and a cell phone” (Williamson, Figures 12-16, Paragraph 0070, and Paragraph 0095).

As per claim 11, Williamson in view of Willis teaches the limitation:

“notifying the user in the future when the media content becomes available from at least one of the preferred media distribution sources, if the media content is not currently available from the at least one of the preferred media distribution sources” (Williamson, Paragraph 0150-0153, “Messaging Service” and Willis Paragraphs 0003, 0088, and 0094).

As per claim 12, Williamson in view of Willis teaches the limitation:

“notifying the user in the future when the media content becomes available from at least one non-preferred media distribution source” (Williamson, Paragraph 0150-0153, i.e., *Messaging Service* and Paragraph 0139-0148, i.e., *Commercial Targeting and Playback Monitoring*; and Willis Paragraphs 0003, 0088, and 0094).

As per claim 13, Williamson in view of Willis teaches the limitation:

"wherein the user is notified via at least one of email, instant message, and postal mail" (Williamson, Paragraph 0150-0153, i.e., *Messaging Service*).

As per claim 14, Williamson in view of Willis teaches the limitation:

"periodically searching for the availability information related to at least one of the preferred media distribution sources if the media content is not currently available from the at least one of the preferred media distribution sources" (Williamson, Paragraph 0084, i.e. ...*recommended programs* (i.e., programs that the system reserves automatically based on user profile...; and Willis Paragraphs 0003, 0085, 0088, and 0094).

As per claim 15, Williamson in view of Willis teaches the limitation:

"requesting a user notification of when the media content becomes available from at least one preferred media distribution source, if the media content is not currently available from the at least one preferred media distribution source" (Williamson, Paragraph 0151, i.e., *The subscriber content level*; and Willis Paragraphs 0003, 0088, and 0094).

As per claim 16, Williamson in view of Willis teaches the limitations:

"determining an availability of the media content from a plurality of media distribution sources that are selected" (Willis, Paragraph 0003, i.e., *Such sites are generally known as "portals," and provide a central gateway through which users can*

Art Unit: 2162

be presented with options and links to various information sources. In this way, users can check, for example, their **stocks, mail, local weather, sports scores, and movie listings**; Paragraph 0015, i.e., In another implementation, a system combines the concepts of the portal and personalized content with other delivery channels, such as, for example, telephone, radio, and television; Paragraph 0088, i.e., Articles may be, for example, text, video, audio, HTML, or another available rendering medium, or a combination of two or more of these media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below; and Paragraph 0094, i.e., One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of content-based services include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard); Willis, Paragraph 0085, i.e., FIG. 1 is an example of a content presentation system including a system 100. **In FIG. 1, external information from an external information source 105 is received by a content generator 110, which generates a corresponding article.** Many types of external information sources 105 may be used, as will be discussed in more detail with respect to FIG. 2. Also, content generator 110 may utilize various techniques for **gathering and publishing the information as discrete articles**. For example, content generator 110 may utilize software agents to gather appropriate information (agents are generally defined as automatons running "on a scheduled basis" and querying a data source for information and **either producing or not producing**

*content based in part on the result of that query) “) in accordance with at least one user selection interpreted based on a user-profile, the plurality of media distribution sources including different types of media distribution sources” (Williamson, Paragraph 0084, i.e., My Shows GUI provides a user with a list of available programs that have been reserved by the user. In the case where multiple users in a household are served by a set-top terminal, each user may utilize the My Shows GUI to create his/her own list of reserved programs. Referring to FIG. 13, when a user reserves a program, the reserved program are listed in the “My Shows” GUI (e.g., 1100A, 1100C) accessible from Home GUI 1030. In one embodiment, **the My Shows GUI enables a user to find, sort and manage programs, including reserved programs** (i.e., programs that have already been reserved and are currently available for viewing), upcoming programs (i.e., programs that are scheduled to be reserved but have yet to be broadcast) and recommended programs (i.e., programs that the system reserves automatically **based on user profile**); Williamson, Paragraph 0099, i.e., s multiple users in a household may establish **one or more personal profiles** that enables users to sort content and channels by **the user’s personal content preferences**);*

“generating, based on determination, a schedule including information regarding the availability of the media content from the plurality of media distribution sources” (Willis Paragraph 0003 and 0085 in view of Williamson Paragraph 0084 and figures 12-16); and

“displaying the schedule on a single page” (Williamson Figures 12-16; and Willis Paragraphs 0003, 0088, and 0094).

As per claim 17, Williamson in view of Willis teaches the limitation:

“allowing a user to request, from the single page, notification in the future when the media content becomes available from at least one of the media distribution sources, if the media content is not currently available from the at least one of the media distribution sources” (Williamson, Figures 12-16 and Paragraph 0151, i.e.*those users who request baseball programs frequently may be grouped as baseball fan-users. Thus the messaging service in question may from time to time provide targeted messages concerning baseball games, equipment, etc. to such baseball fan-users. In addition, the messaging service may provide personal messages to a user, including messages concerning the user's account, an expiration of the user's reserved program, etc.; and Willis Paragraphs 0003, 0088, and 0094).*

Claim 18 is essentially the same as claim 1 except that it set forth the claimed invention as a system rather than a method for searching for media content and rejected for the same reasons as applied hereinabove.

Claim 19 is essentially the same as claim 1 except that it set forth the claimed invention as a hardware-implemented apparatus rather than a method for searching for media content and rejected for the same reasons as applied hereinabove.

As per claim 20, Williamson in view of Willis teaches the limitations:

"interpreting at least a portion of the at least one search criteria in accordance with user profile" (Williamson, Paragraph 0101, i.e., *If the user wants to find a program that meets the parameters of the user's existing Favorite profile, the "Find Favorite Shows" feature is selected from the Favorites submenu 1420 ; and Figure 15: Continue to narrow search until one or two criteria have been established, e.g., Actor's name + category*; Williamson, Paragraph 0084, i.e., *My Shows GUI provides a user with a list of available programs that have been reserved by the user. In the case where multiple users in a household are served by a set-top terminal, each user may utilize the My Shows GUI to create his/her own list of reserved programs. Referring to FIG. 13, when a user reserves a program, the reserved program are listed in the "My Shows" GUI (e.g., 1100A, 1100C) accessible from Home GUI 1030. In one embodiment, **the My Shows GUI enables a user to find, sort and manage programs, including reserved programs** (i.e., programs that have already been reserved and are currently available for viewing), upcoming programs (i.e., programs that are scheduled to be reserved but have yet to be broadcast) and recommended programs (i.e., programs that the system reserves automatically **based on user profile**); Williamson, Paragraph 0099, i.e., *multiple users in a household may establish **one or more personal profiles** that enables users to sort content and channels by **the user's personal content preferences***) and*

"where the searching is based, at least in part on interpreting" (Williamson, Paragraph 0101 and Figure 15; Note that any search involves interpreting search criteria; Williamson, Paragraph 0084, i.e., *My Shows GUI provides a user with a list of*

Art Unit: 2162

*available programs that have been reserved by the user. In the case where multiple users in a household are served by a set-top terminal, each user may utilize the My Shows GUI to create his/her own list of reserved programs. Referring to FIG. 13, when a user reserves a program, the reserved program are listed in the "My Shows" GUI (e.g., 1100A, 1100C) accessible from Home GUI 1030. In one embodiment, **the My Shows GUI enables a user to find, sort and manage programs, including reserved programs** (i.e., programs that have already been reserved and are currently available for viewing), upcoming programs (i.e., programs that are scheduled to be reserved but have yet to be broadcast) and recommended programs (i.e., programs that the system reserves automatically **based on user profile**); Williamson, Paragraph 0099, i.e., **multiple users in a household may establish one or more personal profiles that enables users to sort content and channels by the user's personal content preferences**).*

Claim 21 is essentially the same as claim 20 except that it set forth the claimed invention as a system rather than a method for searching for media content and rejected for the same reasons as applied hereinabove.

Claim 22 is essentially the same as claim 20 except that it set forth the claimed invention as a hardware-implemented apparatus rather than a method for searching for media content and rejected for the same reasons as applied hereinabove.

As per claim 23, Williamson in view of Willis teaches the limitations:

"generating from the results of the searching an intermediate result page including a plurality of media content titles of the results" (Willis, Paragraph 0125, i.e., *FIG. 8 demonstrates an example of an HTML result page 800 that includes article 700. Page 800 is generally organized like a newspaper front page, having a headline 805 (which in this case indicates the enterprise sponsoring the page). A main story 810, corresponding to article 700, is shown in the upper middle portion of the page. A section 815 shows current levels of the Dow Jones, NASDAQ, and S&P 500. The rest of page 800 includes additional hypothetical articles not previously described; Willis' HTML result page maps to the intermediate result page of the claimed invention*);

"wherein the schedule is generated" (Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., *For example, by pressing guide key 920 on remote control 900 while viewing a program channel display 1010 in FIG. 12 (which may be a live or played back TV show, movie, music video, service or the like), a user may access interactive program guide 1020, which includes program viewing window 1040, current time and channel indicator 1045, program description box 1050, program grid 1060 and menu display 1065*) "responsive to a selection of one of the titles of the intermediate results page" (Willis, Paragraph 0126, i.e., *The filtering, sorting, prioritizing, and paginating processes already described determine whether an article is displayed in full size (for example, article 700 in section 810), simply as a link (for example, links within sections 820, 825, 830, 835, 840, and 850, which are shown grouped together with similar articles), with a "more" link (not shown) that does not include any details but allows access to additional articles*) and "includes

Art Unit: 2162

scheduling exclusively regarding the selected title" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs*). Note that in the method of Williamson in view of Willis as a combination, a user can select a title (Williamson) from the intermediate result page (Willis) which includes links which could be selected to access more results, that is, generate schedule (s) (as taught by Williamson).

As per claim 24, Williamson in view of Willis teaches the limitations:

"wherein the searching is exclusively within content provided by the preferred media distribution sources" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs* and 0135-0157, i.e. A search may include one of these parameters or multiple parameters; Paragraph 0102, i.e., *Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and "is for media content that satisfies the search criteria"* (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that*

matches the criteria in a user's profile and return the results to the user's lists of Favorite programs).

As per claim 25, Williamson in view of Willis teaches the limitations:

"the user profiles identifies, for each of a plurality of source types, respective preferred distribute sources" (Williamson, Paragraph 0102, i.e., Referring to FIG. 16, a user may create a new profile by using select key 960 of remote control 900 to select the "Create New Profile" link from Favorites submenu 1420 to display search parameters from which a user may choose (1450). These parameters may include programming category, actor(s) name, program title, director, keyword and the like; Paragraph 0102, i.e., Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles at different times; and Paragraph 0084, i.e., .. My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized

by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order);

"the search criteria includes a selection of a subset of the source types"
(Paragraph 0084, i.e., .. *My Shows GUI 1100B lists **several categories** to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, **a user's reserved programs may be categorized** by those programs that **are in-progress** (i.e., currently broadcast), **upcoming** (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order) ; and*

"responsive to the search request" (Williamson, Paragraph 0099, i.e., Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs and 0135-0157, i.e. A search may include one of these parameters or multiple parameters), "the search is performed within content provided by the preferred media distribution sources of the selected subsets of the source types" (Williamson, Paragraph 0099, i.e., Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs).

As per claim 26, Williamson in view of Willis teaches the limitations:

"receiving from a user a user profile which identifies preferred media distribution sources" (Williamson, Paragraph 0102, i.e., *Referring to FIG. 16, a user may create a new profile by using select key 960 of remote control 900 to select the "Create New Profile" link from Favorites submenu 1420 to display search parameters from which a user may choose (1450). These parameters may include programming category, actor(s) name, program title, director, keyword and the like; Paragraph 0102, i.e., Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles at different times; and Paragraph 0084, i.e., .. My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order);*

"receiving a search request from a user including at least one search criteria"(Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search*

program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs and 0135-0157, i.e. A search may include one of these parameters or multiple parameters);

*"searching a plurality of media distribution source types for media content based on the at least one search criteria and the user profile" (Williamson, Paragraph 0099, i.e., Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs and 0135-0157, i.e. A search may include one of these parameters or multiple parameters; Willis, Paragraph 0003, i.e., Such sites are generally known as "portals," and provide a central gateway through which users can be presented with options and links to various information sources. In this way, users can check, for example, their **stocks, mail, local weather, sports scores, and movie listings**; Paragraph 0015, i.e., In another implementation, a system combines the concepts of the portal and personalized content with other delivery channels, such as, for example, telephone, radio, and television; Paragraph 0088, i.e., Articles may be, for example, text, video, audio, HTML, or another available rendering medium, or a combination of two or more of these media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below; and Paragraph 0094, i.e., One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of content-based services*

include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard);

"generating, from results of the searching, a result page including a first section having information of the results that applies to all of the media distribution source types from which the results were obtained" (Willis, Paragraph 0125, i.e., *FIG. 8 demonstrates an example of an HTML result page 800 that includes article 700. Page 800 is generally organized like a newspaper front page, having a headline 805 (which in this case indicates the enterprise sponsoring the page). A main story 810, corresponding to article 700, is shown in the upper middle portion of the page. A section 815 shows current levels of the Dow Jones, NASDAQ, and S&P 500. The rest of page 800 includes additional hypothetical articles not previously described*), and, "for each of the media distribution source types from which the results were obtained, a respective second section having all of the results obtained from the respective media distribution source type" (Willis, Figure 8, i.e., *Market Report 860: Dow 10,543.17 -54.12, Nasdaq 1719.67 +8.01, S&P 1201.31 -4.23; Note that Business Partner News 820 maps "a first section" of claim 26 and Market Report 860 maps to "respective second section" of claim 26);* and

"displaying the result page" (Figure 8 of Willis).

As per claim 27, Williamson in view of Willis teaches the limitations:

"responsive to a request for media content suggestions" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs* and 0135-0157, i.e. *A search may include one of these parameters or multiple parameters*), "periodically" (Willis, Paragraph 0085, i.e., "**on a scheduled basis**"):

"searching for media content of a plurality of media distribution source types" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs*; Willis, Paragraph 0003, i.e., *Such sites are generally known as "**portals**," and provide a central gateway through which users can be presented with options and links to various information sources. In this way, users can check, for example, their **stocks, mail, local weather, sports scores, and movie listings***; Paragraph 0015, i.e., *In another implementation, a system combines the concepts of the portal and personalized content with other delivery channels, such as, for example, telephone, radio, and television*; Paragraph 0088, i.e., *Articles may be, for example, text, video, audio, HTML, or another available rendering medium, or a combination of two or more of these media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below*; and Paragraph 0094, i.e., *One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of*

Art Unit: 2162

*content-based services include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard), "the searching begin in accordance with a user history" (Paragraph 0084, i.e., .. My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order; Williamson, Paragraph 0102, i.e., Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles **at different times**); and*

"displaying the results of the search" (Williamson, Figures 12, 13, and 14, and Paragraph 0079).

As per claim 28, Williamson in view of Willis teaches the limitations:

"wherein the user history includes a user-input search criteria input for prior searches" (Williamson Paragraph 0102, i.e., Williamson, Paragraph 0102, i.e., *Referring to FIG. 16, a user may create a new profile by using select key 960 of remote control 900 to select the "Create New Profile" link from Favorites submenu 1420 to display search parameters from which a user may choose (1450). These parameters may include programming category, actor(s) name, program title, director, keyword and the like; Paragraph 0102, i.e., Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles at different times*), "a viewing history" (Paragraph 0084, i.e., .. *My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order*), and a purchase history" (Williamson, Paragraph 0093, i.e., a subscription service purchase, some may require a specific program purchase and others may not require any purchase; Williamson, Paragraph 0097, i.e., Access to a

program may also be terminated if media processor 119 determines that a predetermined time interval (expiration period) has been met. Typically, a reminder is displayed on the user's screen notifying the user that the time to view a program will be terminated at a specified time in advance of such expiration; This disclosure of Williamson shows that purchase history of the user for a particular on-demand TV program is retained by the media processor).

10. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson in view of Willis and further in view of Sheikh et al., (hereinafter "Sheikh", U.S. Patent Application Publication Number 2002/0078382).

As per claim 29, Williamson in view of Willis as applied to claim 1 teaches the limitations:

"receiving from a user a user profile which identifies preferred media distribution sources" (Williamson, Paragraph 0102 and Paragraph 0102) "which are of a plurality of media distribution source types" (Willis, Paragraphs 0003, 0088, and 0094);

"receiving a search request from a user including at least one search criteria" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that matches the criteria in a user's profile and return the results to the user's lists of Favorite programs*);

"searching the preferred media distribution sources for media content based on the at least one search criteria and the user profile" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can then search program data for content that*

matches the criteria in a user's profile and return the results to the user's lists of Favorite programs);

"generating, from the results of the searching" (Willis, Paragraphs 0085, 0089, 0096, and 0110), "a schedule including scheduling information regarding the media content of the returned results" (Williamson, Figures 12, 13, and 14, and Paragraph 0079); and "displaying the schedule to the user" (Williamson, Figures 12, 13, and 14, and Paragraph 0079);

*"periodically searching the plurality of media distribution source types for media content, the periodic searching being unconstrained by at least one of the at least one search criteria, the user profile, and the identification of the preferred media distribution sources of the user profile" (Willis, Paragraph 0085, i.e., FIG. 1 is an example of a content presentation system including a system 100. In FIG. 1, external information from an external information source 105 is received by a content generator 110, which generates a corresponding article. Many types of external information sources 105 may be used, as will be discussed in more detail with respect to FIG. 2. Also, content generator 110 may utilize various techniques for gathering and publishing the information as discrete articles. For example, content generator 110 may utilize software agents to gather appropriate information (agents are generally defined as automations running **"on a scheduled basis" and querying a data source for information and either producing or not producing content** based in part on the result of that query). Moreover, in other implementations, content generator 110 may be*

included within system 100; Note that periodic querying of the method of Willis is not constrained by user profile); and

“responsive to a return of results by the periodic searching: generating, from the results of the periodic searching” (Willis, Paragraphs 0085, 0089, 0096, and 0110), “the schedule” (Williamson, Figures 12, 13, and 14, and Paragraph 0079); and

“displaying the schedule to the user” (Williamson, Figures 12, 13, and 14, and Paragraph 0079).

Williamson in view of Willis does not explicitly teach the limitations: “if the searching returns results” and “if the searching does not return any results”.

On the other hand, Sheikh teaches the limitations:

““if the searching returns results” (Sheikh, Paragraph 0053, i.e., *If no result is returned, the agent transport waits a set period of time and reexecutes the sensor in Step 620. If data is returned by the sensor, the agent transport encrypts the result and writes the data to the disc on the host sensor in Step 624 for further treatment*) and

“if the searching does not return any results” (Sheikh, Paragraph 0053, i.e., *If no result is returned, the agent transport waits a set period of time and reexecutes the sensor in Step 620. If data is returned by the sensor, the agent transport encrypts the result and writes the data to the disc on the host sensor in Step 624 for further treatment*).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method of Williamson in view of Willis to add the feature of making a decision on whether a search returns results or not and performing

actions based on said decision, as taught by Sheikh, to the method of Williamson in view of Willis, so that the resultant method would determine if the searching returns results and if it does, would generate results and if it does not, it would keep on searching periodically to obtain results. One would have been motivated to do so in order to "monitor changes" (Sheikh, Paragraph 0009) (in data sources).

Response to Arguments

11. Applicant's arguments filed on November 5, 2007, have been considered but are not persuasive.

Applicant argued that *"Willis et al., do not disclose or suggest generating a results information of a certain type gleaned from the various filtered articles, and certainly do not disclose or suggest generating a schedule based on the filtered articles"* (Applicant's argument, page 9 third paragraph). Applicant also argued that *"the modified system would not disclose or suggest the features of any of claims 1, 18, and 19, particularly, the features of generating a schedule in response to a search request, where the schedule includes scheduling information of results obtained from searching a plurality of media distribution source types"* (Applicant's argument, page 9 fourth paragraph). Applicant also argued that *"thus, the schedule of par. 0085 of Willis et al., does not correct the critical deficiencies noted above with respect to the Willis et al., and Williamson et al., (Applicant's argument, page 10 first paragraph).*

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out

exact locations in the cited prior art. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1] Interpretation of Claims-Broadest Reasonable Interpretation.

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

In response it is pointed out that Williamson in view of Willis teaches "generating a results information of a certain type gleaned from the various filtered articles" (Willis, Paragraph 0085, i.e., *FIG. 1 is an example of a content presentation system including a system 100. In FIG. 1, external information from an external information source 105 is received by a content generator 110, which generates a corresponding article. Many types of external information sources 105 may be used, as will be discussed in more detail with respect to FIG. 2. Also, content generator 110 may utilize various techniques for gathering and publishing the information as discrete articles. For example, **content generator 110 may utilize software agents to gather appropriate information (agents are generally defined as automatons running "on a scheduled basis" and querying a data source for information and either producing or not producing content based in part on the result of that query).** Moreover, in other implementations, content generator 110 may be included within system 100; Willis Paragraph 0089, i.e., *In FIG. 1, then, an article reader 115 accesses articles from**

Art Unit: 2162

content generator 110. Some articles may already include attribute and content metadata information. If a particular article has no associated metadata, **a metadata enhancer 120 may be used to examine the content of the article and generate metadata accordingly.** Even if some information, such as attribute information, is included with an article, metadata enhancer 120 may be used to further enhance the article; Willis Paragraph 0096, i.e., By accessing databases 135 and 140, content-based router 130 is able **to filter articles which are restricted or are of no interest with respect to a particular user.** The action of content-based router 130 thus eases the burden on **a personalized article processor ("PAP") 145,** which has the job of individually prioritizing the remaining articles, based on a comparison of contents of the user preference database 140 to the content and to the content metadata/attributes of each article. See also Willis paragraph 0107 and Paragraphs 0129, 0262, and 0278. Also see Paragraph 0110 of Willis, i.e., **a pool of articles from which a subset for each user will be drawn)** and "generate a schedule" (Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., For example, by pressing guide key 920 on remote control 900 while viewing a program channel display 1010 in FIG. 12 (which may be a live or played back TV show, movie, music video, service or the like), a user may access interactive program guide 1020, **which includes program viewing window 1040, current time and channel indicator 1045, program description box 1050, program grid 1060 and menu display 1065)** "results obtained from a searching a plurality of media distribution source types" (Willis, Paragraph 0003, i.e., Such sites are generally known as **"portals,"** and provide a central gateway through which users can

Art Unit: 2162

*be presented with options and links to various information sources. In this way, users can check, for example, their **stocks, mail, local weather, sports scores, and movie listings**; Paragraph 0015, i.e., In another implementation, a system combines the concepts of the portal and personalized content with other delivery channels, such as, for example, telephone, radio, and television; Paragraph 0088, i.e., Articles may be, for example, text, video, audio, HTML, or another available rendering medium, or a combination of two or more of these media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below; and Paragraph 0094, i.e., One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of content-based services include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard).*

. Note that the method of Williamson in view of Willis as a combination would generate, from results of the searching (Willis), a scheduling including scheduling information (Williamson) from searching a plurality of media distribution source types (Willis).

Applicant also argued that “one skilled in the art would not arrive at the features of any claims of 1, 18, and 19 based on the combination of Williamson et al., and Willis et al., without an improper hindsight reconstruction based on Applicant’s disclosure” (Applicant’s argument, page 10, second paragraph).

In response, it is pointed out that one of ordinary skill in the art would have been

motivated to combine the teachings of Williamson and Willis in order to allow users to designate categories of information in which desired content may be presented (Willis, Paragraph 0003). In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Applicant additionally argued that *"claim 16 includes subject matter analogous to that of claims 1, 18, and 19 and is therefore patentable for at least the same reasons set forth above in support of the patentability of claims 1, 18, and 19"* (Applicant's arguments, page 10 fourth paragraph).

In response, it is pointed out that, as discussed in details above, the combination of Williamson and Willis teaches each and every limitation/feature of claims 1, 18, and 19 and, as such, claim 16 is similarly unpatentable over the combination of Williamson and Willis.

Applicant also argued that *"as for claims 2 to 15 and 20, which ultimately depend from claim 1 and therefor include all of the features recited in claim 1, it is respectfully submitted that the combination of Williamson et al., and Willis et al., dose not render unpatentable these dependent claims for the same reasons set forth above in support of*

the patentability of claim 1" (Applicant's argument, Page 10, fifth paragraph).

In response, it is pointed out that, as discussed in details above, the combination of Williamson and Willis teaches each and every limitation/feature of claims 1, 18, and 19 and, as such, any dependent claims of said independent claims are rendered unpatentable by the combination of Williamson and Willis.

Applicant also argued that that "as for claim 17, which depends from claim 16 and therefor include all of the features recited in claim 16, it is respectfully submitted that the combination of Williamson et al., and Willis et al., dose not render unpatentable this dependent claim for the same reasons set forth above in support of the patentability of claim 16" (Applicant's argument, Page 10, sixth paragraph).

In response, it is pointed out that, as discussed in details above, the combination of Williamson and Willis teaches each and every limitation/feature of claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of said independent claims are rendered unpatentable by the combination of Williamson and Willis.

Applicant also argued that that "as for claim 21, which depends from claim 18 and therefor include all of the features recited in claim 18, it is respectfully submitted that the combination of Williamson et al., and Willis et al., dose not render unpatentable this dependent claim for the same reasons set forth above in support of the patentability of claim 18" (Applicant's argument, Page 10, seventh paragraph).

In response, it is pointed out that, as discussed in details above, the combination of Williamson and Willis teaches each and every limitation/feature of claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of said independent claims

are rendered unpatentable by the combination of Williamson and Willis.

Applicant also argued that that *"as for claim 22, which depends from claim 19 and therefor include all of the features recited in claim 19, it is respectfully submitted that the combination of Williamson et al., and Willis et al., dose not render unpatentable this dependent claim for the same reasons set forth above in support of the patentability of claim 1"* (Applicant's argument, Page 10, eighth paragraph).

In response, it is pointed out that, as discussed in details above, the combination of Williamson and Willis teaches each and every limitation/feature of claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of said independent claims are rendered unpatentable by the combination of Williamson and Willis.

Applicant's arguments with respect to newly added claims 23-25 are moot because their respective independent claims are rendered unpatentable by the combination of Williamson and Willis. With respect to newly added claims 26-28, said combination teaches all the features of said claims. With respect to the newly added claim 29, applicant's arguments are moot in view of the new ground(s) of rejection.

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action. For the above reasons, Examiner believed that rejection of the last Office Action and Current Office Action are proper.

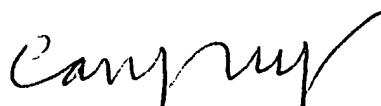
Art Unit: 2162

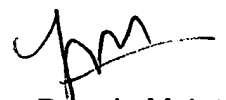
Contact Information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-5629.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cam Ly Truong
Primary Examiner


Dennis Myint
Examiner
AU-2162